

THE JACOBS REPORT

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JACOBS PUSHES FOR WIDER AVAILABILITY OF DEFIBRILLATORS

Bills assure immediate response for health club members; children at camp

Senator Gilda Z. Jacobs (D-Huntington Woods) is urging colleagues to support legislation that will require health clubs to employ at least one person trained in cardiopulmonary resuscitation (CPR) on site during health club business hours. The bill also requires that health clubs make automated external defibrillators available on the premises and that they develop and implement an emergency plan.

“These are popular and widely used facilities where people are physically exerting themselves,” Jacobs said. “Since their primary business is maintaining health, these facilities should also be prepared to provide adequate emergency response in the case of a health crisis.”

A second bill would allow children to self-carry and self-administer their asthma inhalers and epinephrine injectors at camps. Epinephrine injectors are used in emergencies to protect individuals against severe, potentially life-threatening allergic reactions. An existing Michigan law allows children to carry and administer such medications in schools. This legislation expands that Act and is strongly supported by the Allergy & Asthma Network Mothers of Asthmatics who view the legislation as a life saving measure.

“These measures simply increase an individual’s chances of survival by making life-saving measures more accessible,” Jacobs said. “That’s what it’s all about—saving lives.”

GRANHOLM URGES RESIDENTS TO GET LIVING WILLS

With the dispute over the Terri Schiavo case and whether or not she had expressed a desire not to be kept alive, Governor Jennifer Granholm has urged all state residents to establish a living will to clearly set out their instructions for medical treatment in case they are unable to communicate their wishes.

“I say to every person in Michigan,” said the governor, “get a living will so your wishes are known.”

“Anything that makes us think about our own mortality is somewhat unpleasant, which makes it easy to put off making a will and designating what kind of medical care we want if we become incapacitated,” said Senator Gilda Z. Jacobs (D-Huntington Woods). “Nevertheless, it is so

important to make such decisions and spare your loved ones the confusion and trauma of having to settle matters through the courts.”

Constituents of Senator Jacobs may contact her office toll-free at 1-888-YES GILDA to obtain a free “Peace of Mind” do-it-yourself guide to medical and legal decisions.

ACLU SUES OVER PROPOSAL 2

The American Civil Liberties Union of Michigan announced the filing of a lawsuit requesting that the court declare that the amendment passed by Michigan voters in November 2004, regarding same-sex marriage, does not prohibit domestic partnership (DP) benefits offered by public employers.

The lawsuit has been filed on behalf of National Pride at Work and twenty-one same-sex couples who receive health insurance from their public employers or who would have received DP benefits as part of a new state contract.

“We are filing this lawsuit today on behalf of the many men and women in Michigan with children who very much need health care but who stand to lose their benefits because supporters of Proposal 2 are pushing to make LGBT families into second-class citizens,” said Kary Moss, ACLU of Michigan Executive Director.

State and local governmental agencies, represented by the Michigan Corrections Organization, Michigan State Employees Association, Service Employees International Union, AFSCME and UAW, had successfully bargained for a jobs benefits package that was scheduled for ratification by the State Civil Service Commission on December 15, 2004. The package included medical benefits and family medical leave for their families, including domestic partners and their children.

But in December, Governor Granholm announced that a “legal cloud” exists and DP benefits for employees and families would be withheld pending a judicial decision interpreting whether the language of the constitutional amendment, which limits marriage to a man and a woman in the State of Michigan, prohibits the provision of benefit packages.

On March 16, Attorney General Michael Cox issued an opinion that the marriage amendment bars the City of Kalamazoo from offering DP benefits in future contracts. While the attorney general opinion is not binding in court, the couples who filed the suit fear that, without a court decision, they are in danger of losing or being denied the same health insurance and other benefits that their co-workers’ families receive.

“Compensating employees with health care coverage does not constitute recognition of a marriage,” said Joe Darby, a member of National Pride at Work. “What it does do is provide equal employment opportunities to lesbians and gay men.”

“Hospitalization, medical and health benefits extended to a worker’s family benefit employers, in addition to ensuring essential safety and health for all employees,” added Darby.

Throughout the campaign to pass Proposal 2, Citizens for Protection of Marriage, the organization driving the constitutional amendment, consistently and repeatedly advised the voting public, through media and campaign literature, that the intent and purpose of the proposed amendment was to limit marriage to a man and a woman and would not affect DP or same sex partnership benefits. Their brochure, widely distributed, explained the limits of the reach of the proposed constitutional amendment as follows:

Proposal 2 is only about marriage. Marriage is a union between husband and wife. Proposal 2 will keep it that way. This is not about rights or benefits or how people choose to live their lives. This has to do with family, children and the way people are. It merely settles the question once and for all what marriage is-for families today and future generations.

All of the twenty-one couples named in the lawsuit currently rely on DP benefits for health care coverage. Six of the couples have dependent children; three have re-located to Michigan because the employer offered DP benefits and several specifically chose their place of employment on the basis of the DP benefits.

All Michigan legislation can be tracked at <http://www.legislature.michigan.gov/>.

State Senator Gilda Jacobs represents the 14th Senate District, which includes Beverly Hills, Bingham Farms, Farmington, Farmington Hills, Ferndale, Franklin, Hazel Park, Huntington Woods, Lathrup Village, Oak Park, Pleasant Ridge, Royal Oak Township, Southfield, and Southfield Township. She is the Minority Vice Chair of the Families & Human Services Committee and the Economic Development, Small Business & Regulatory Reform Committee. She also serves on the Government Operations and Health Policy Committees.

Constituents of the 14th District may contact Senator Jacobs at sengjacobs@senate.michigan.gov or toll-free at 1-888-937-4453.

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